

AO 440 (Rev. 10/93) Summons in a Civil Action - SDNY WEB 4/99

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

BHATIA SHIPPING AND AGENCIES PVT. LTD.

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: 07 CV

ALCOBEX METALS LTD.

07 CIV 9346

JUDGE JONES

TO: (Name and address of defendant)

ALCOBEX METALS LTD.
4223/1 Ansari Road
Darya Ganj
New Delhi 110-002, India

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

FREEHILL, HOGAN & MAHAR, LLP
80 Pine Street
New York, New York 10005

Attn: Michael E. Unger, Esq.

an answer to the complaint which is herewith served upon you, within Thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.



J. MICHAEL McMAHON

CLERK


(BY) DEPUTY CLERK

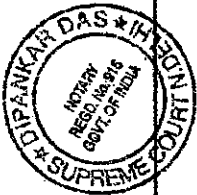
DATE

OCT 18 2007

Recd for Alcobex
6/12/07

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RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹	DATE <u>06-12-2007</u>	
NAME OF SERVER (PRINT)	TITLE <u>DHURIA MOHAN</u>	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <u>M/S ALCOBEX METALS LTD;</u> <u>4-223/1 ANSARI ROAD</u> <u>DARYA GANJ, NEW DELHI-110002, INDIA</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <u>MR. O.A. PADEY</u> <u>ADMINISTRATIVE INCHARGE</u>		
<input type="checkbox"/> Returned unexecuted: <u>NA</u>		
<input type="checkbox"/> Other (specify): _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date</p> <p style="text-align: right;">  Signature of Server </p> <p style="text-align: right;"> <u>F-401 N.D.S.E-PART-I</u> Address of Server <u>NEW DELHI-49</u> </p>		



(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

AFFIDAVIT OF MR. MOHAN DHURIA, F-40, SOUTH EXTENSION PART –
I, NEW DELHI 110 049, INDIA, IN PROOF OF SERVICE OF SUMMONS
UPON M/S. ALCOBEX METALS LIMITED.

I, Mohan Dhuria, Court Clerk of AZB & Partners, Advocates & Solicitors, F-40,
South Extension, Part – I, New Delhia 110049, India, Adult, Indian inhabitant do
hereby on solemn affirmation as under/state and swear as under:

IN TESTIMONY WHERE OF
I TESTIFY AND SIGN
WITH MY OFFICE SEAL



- 1) I was provided with copies of summons issued by the United States District Court, Southern District of New York in proceedings bearing Number 07 CIV 9346 filed by Bhatia Shipping and Agencies Pvt. Ltd. and directed to serve the same upon Alcobex Metals Ltd. a company having its office and carrying on business at 4223/1, Ansari Road, Darya Ganj, New Delhi -110 002.

IN TESTIMONY WHERE OF,
I HAVE HEREUNTO SET
MY HAND AND AFFIXED
THE SEAL, NEW DELHI, INDIA
ON

11 DEC 2007



- 2) On December 6, 2007, I personally proceeded to the office of Alcobex Metals Ltd. situated at the abovementioned address to effect Service of the summons.

DIPANKAR DAS,
ADVOCATE, SOLICITOR
& NOTARY PUBLIC
SUPREME COURT
NEW DELHI-110001 (INDIA)

- 3) I arrived at the office of Alcobex Metals Ltd. at 1630 hours on December 6, 2007 and served a copy of the summons upon Mr. O.A. Pandey, Administrative Incharge of Alcobex Metals Ltd, who informed me that he was the Administrative Incharge of the said Company. The acknowledgement of service was obtained by me on a Photostat copy of the summons which is annexed hereto as Exhibit "A".

11 DEC 2007

Identify the Executant/Deponent
who has Signed in My Presence

Valid Out-Side India

In view of the foregoing, I state that the summons issued by the United States District Court of the Southern District of New York in the.

MY COMMISSION
EXPIRES ON

Proceedings bearing number 07 CIV 9346 was served by me personally upon Alcobex Metals Ltd. at 1630 hours on December 6, 2007.



- 5) I state and submit that whatever stated hereinabove is to my personal knowledge and free from all factual inaccuracies.



SIGNATURE ATTESTED

11 DEC 2007

Solemnly affirmed at New Delhi)

Dated this -day of December 2007)

Before me